

RESOLUTION NO. R2016 - 005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MIAMI SPRINGS ENACTING A DEVELOPMENT
ORDER FOR THE APPROVAL OF A PROJECT AT 401
PAYNE DRIVE TO CONSTRUCT A 308 SQUARE FOOT
ADDITION TO AN EXISTING SINGLE FAMILY HOME ON
PROPERTY LEGALLY DESCRIBED AS ATTACHED
EXHIBIT "A", LIMITATION TO SECURE PERMIT;
EFFECTIVE DATE**

WHEREAS, the subject property described herein is located within the R-1A, Single Family Residential; and,

WHEREAS, on September 1, 2016 the Board of Adjustment recommended favorably for the project under Case No. 09-V-16, site plan approval and variance for the applicant's proposed project; and,

WHEREAS, on September 12, 2016 the City Council granted the applicant site plan approval for the applicant's proposed project; and,

WHEREAS, in light of the foregoing actions, the City Council has determined that it is both proper and appropriate and in the best interests of the City and its citizens to issue this development order resolution:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF MIAMI SPRINGS, FLORIDA:**

Section 1: The applicant is seeking variances from Section 150-043 (F) in order to construct a bedroom and bathroom addition to an existing single family home, as follows:

1. Requests variance from Section 150-043 (F) to waive 2'10" (two feet ten inches) of the minimum required rear yard setback of 25' (twenty five feet) to continue an existing legal non-conforming setback. (Rear yard setback of 22' 2" (twenty two feet two inches) proposed).
2. Requests variance from Section 150-002 (C) (80) to exceed by 3" (three inches) the maximum permitted side yard encroachment of 36" (thirty-six inches) for a stoop and steps. (Encroachment of 39" proposed).

Site plan approval and variance are hereby granted subject to the following conditions:

1. Plans shall substantially comply with those submitted, as follow:
 - Boundary Survey by D'Avila & Associates Services, Inc., signed, sealed and dated July 20, 2016.

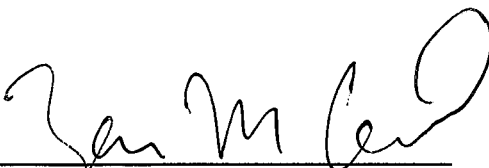
- Sheet SP-1, Existing and Proposed Site Plan, Location Plan, Notes, by Salazar Architectural Group, signed, sealed, and dated July 29, 2016.
- Sheet A-1.1, Existing Floor Plan (Demolition), by Salazar Architectural Group, signed, sealed, and dated July 29, 2016.
- Sheet A-2.1, Proposed Floor Plan and Notes, by Salazar Architectural Group, signed, sealed, and dated July 29, 2016.
- Sheet A-3.1, Existing and Proposed Front and Side Exterior Elevations, by Salazar Architectural Group, signed, sealed, and dated July 29, 2016.
- Sheet A-3.2, Existing and Proposed Rear Exterior Elevations, by Salazar Architectural Group, signed, sealed, and dated July 29, 2016.
- Sheet A-3.3, Existing House Pictures, by Salazar Architectural Group, signed, sealed, and dated July 29, 2016.
- Sheet TD-1, Tree Disposal Plan, by JFDesign Inc., signed, sealed, and dated on July 27, 2016.
- Sheet L-1, Landscape Plan, by JFDesign Inc., signed, sealed, and dated on July 27, 2016.
- Sheet L-2, Landscape Specifications and Details, by JFDesign Inc., signed, sealed, and dated on July 27, 2016.

Substantial compliance shall be at the sole determination of the City.

2. Any variances granted by the City Council shall be null and void if the applicant does not obtain a building permit and commence construction within one year of the date of the granting of the variance. If unusual circumstances exist, the variance may be extended by the City Council for an additional six-month period. No extensions beyond the time periods specified above are authorized.
3. The final order, including any conditions upon which the approval is granted shall be incorporated on a cover sheet of the plans submitted for building permit.

Section 2: That pursuant to Section 150-111 (B)(5) of the Code of Ordinances of the City of Miami Springs, the applicant must obtain a master building permit from the City within one (1) year of the date of this Resolution or the site plan approval previously granted for the subject project shall be deemed null and void and the applicant shall be required to reapply for site plan review, unless the term has been previously extended by City Council action prior to its expiration.

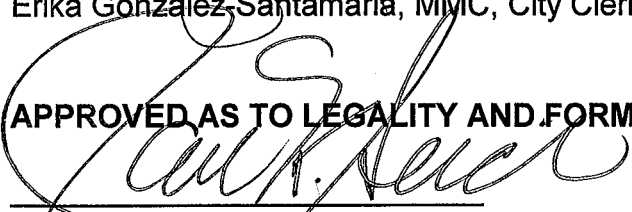
PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida, at the regular meeting of September 12, 2016.


Zavier M. Garcia, Mayor

ATTEST:


Erika Gonzalez-Santamaria, MMC, City Clerk

APPROVED AS TO LEGALITY AND FORM:


Jan K. Seiden, City Attorney



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EXHIBIT "A"

LEGAL DESCRIPTION

THE EAST 25 FEET OF TRACT 9-B, OF PLAT OF FEC ADDITION TO HIALEAH 2ND REVISED, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, AT PAGE 18, AND ALL OF LOT 7, IN BLOCK 9, OF FEC ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, AT PAGE 14, ALL OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, ALSO KNOW AS: LOT 7 AND THE EAST ½ OF LOT 8, IN BLOCK 9, OF FEC ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 14, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.